

UNITED STATES DISTRICT COURT

for the
District of Nebraska

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

The residence and premises at Lux 96 Apartments, 1221 West 6th Street, Apartment 2307,
Papillion, Nebraska 68046.

See Attachment A

Case No. 8:19MJ371

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

The residence and premises at Lux 96 Apartments, 1221 West 6th Street, Apartment 2307, Papillion, Nebraska 68046.
See Attachment A

located in the _____ District of _____ Nebraska _____, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. 2113(b)
18 U.S.C. 2113(a) & (d)

Attempted Bank Robbery
Bank Robbery

Offense Description

The application is based on these facts:

See Attached Affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

☒ Sworn to before me and signed in my presence.

- ☐ Sworn to before me by telephone or other reliable electronic means.

Date: 8/9/2019

City and state: Omaha, Nebraska

Applicant's signature

John D. Hallock, SA, FBI

Printed name and title

Judge's signature

MICHAEL D. NELSON, U.S. Magistrate Judge

Printed name and title

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (“FBI”) and am presently assigned to the FBI Omaha Division Great Plains Violent Crime Task Force, located in Omaha, Nebraska. I have been an FBI SA for approximately eighteen (18) years. As an FBI SA, I have received training on a multitude of federal offenses at the FBI Academy and other Law Enforcement Training venues. I regularly refer to these laws and regulations during the course of my official duties. During my career as an FBI SA I have been the Case Agent and have assisted in numerous bank robbery investigations which have resulted in search warrants, arrests, and the seizure and forfeiture of assets. Prior to joining the FBI, I was a Security Specialist for the United States Air Force (USAF) for approximately three years, and served six years with the Lincoln, Nebraska Air Guard. After leaving the military, I was a police officer in the Midwest for approximately seven years.

2. This affidavit is made in support of a warrant to search a one bedroom apartment which is currently located at the Lux 96 Apartment Complex, 1221 West 6th Street, Apartment Number 2307, Papillion, Nebraska, Sarpy County, Nebraska 68046, for evidence, fruits, and instrumentalities of the crime concerning Attempted Bank Robbery, in violation of Title 18, United States Code, Section 2113(b), and Bank Robbery, in violation of Title 18, United States Code, Section 2113(a) and (d). .

3. The information contained within this affidavit is based upon my training and experience, my personal knowledge of the investigation conducted in the matter, and information

provided by other agents and law enforcement officials who have assisted in this investigation and their own investigation. This affidavit is intended to provide probable cause to support the issuance of the search warrant as requested herein and does not purport to set forth all of the information that I have acquired during the course of this investigation.

ITEM TO BE SEARCHED

4. The items to be searched are described in Attachment A and as follows:
 - a. A one bedroom apartment, specifically Apartment Number 2307, located at the Lux 96 Apartments, 1221 West 6th Street Papillion, Nebraska, Sarpy County, Nebraska 68046. The building known as 1221 West 6th Street is described as a three story apartment building with the exterior entrance door marked in white numbers and lettering which reads “1221 West 6th Street.” The building has a red brick exterior, tan siding, two car attached garages with white garage doors located on the ground floor of the building, and a composition roof. Apartment 2307 is located on the third floor of the building and has a white entrance door with the number “2307” in gold colored numbers displayed on the right hand side of the door.

ITEMS TO BE SEIZED

5. The items to be seized from 1221 West 6th Street, Apartment 2307, Papillion, Nebraska 68046, are described in Attachment B and as follows:
 - a. Khaki colored pants;
 - b. White jacket with camouflage print;

- c. White facial coverings to include white bandanas;
- d. Black or dark colored sweatpants;
- e. Gloves, to include gray cloth type gloves and black leather gloves;
- f. Black or dark colored hooded sweatshirts;
- g. Gray or white colored hooded sweatshirts containing a white logo on the left chest area;
- h. Weapons to include handguns;
- i. Dark lensed sunglasses;
- j. White surgical masks.
- k. United States currency not to exceed \$57,000.00

OVERVIEW OF INVESTIGATION

6. On January 25, 2019, at approximately 9:12 a.m., two black males, both approximately 5'10" tall and weighing 160 pounds, attempted to enter the Cobalt Credit Union, 1712 Madison Avenue, Council Bluffs, Iowa, and rob it. Both robbers made it inside the vestibule, but could not get into the interior credit union door since it is a controlled access. The first robber was described as wearing Khaki pants, a white jacket with camouflage print, and a white cloth across his face. The first robber was carrying a black and chrome semi-automatic handgun. The second robber was described as wearing dark clothing and carrying some type of bag in one of his pants pockets. Law enforcement personnel assigned to the FBI Omaha Great Plains Violent Crime Task Force responded to the Cobalt Credit Union to assist the Council Bluffs Police Department with the investigation.

7. After the attempted credit union robbery, both robbers fled the scene in a 2007 Copper/Red colored Chrysler Aspen SUV with Nebraska License Plate VXI126, which was previously reported stolen. The vehicle was recovered at the intersection of 1st Street and Pierce Street in Council Bluffs, Iowa, and was towed to the Council Bluffs Police Department, 1 Ezra Jackson Way, Council Bluffs, Iowa, in order to be processed for evidence of the attempted credit union robbery.

8. During the evidence processing of the 2007 Chrysler Aspen SUV with Nebraska License Plate VXI126 which was conducted by the FBI Omaha Evidence Response Team (ERT), members of the FBI Omaha Great Plains Violent Crime Task Force contacted the owner of the stolen 2007 Chrysler Aspen SUV, who I will identify as "MS." MS was notified that the vehicle was recovered, and was used in an attempted robbery. MS was asked if MS would come to the Council Bluffs Police Department to recover the vehicle, and let investigators know if there were any items in the vehicle that did not belong to MS. When MS arrived at the Council Bluffs Police Department, MS looked in the vehicle while the doors were open and reported that a pair of sunglasses that were in the front console cup holder and a multi-colored plastic type shopping bag that was on the floorboard of the vehicle did not belong to MS.

9. After the processing of the 2007 Chrysler Aspen SUV, items of evidence that were collected to include the sunglasses and multi colored bag (identified as a Marshalls Department Store Shopping Bag) were sent to the FBI laboratory in Quantico, Virginia for processing. On May 2, 2019, your affiant received a telephone call from the FBI Laboratory Latent Print Unit (LPU) that reported there were latent fingerprints found on the Marshalls Shopping Bag that were identified as belonging to TEVONTA REAIR TILLER, a black male,

born in 1996. In July 2019, subsequent to the verbal confirmation of the latent fingerprint identification, the FBI Laboratory LPU provided your affiant with Laboratory Report Number 2019-00299-4, which reported that three (3) latent fingerprints were found on the Marshalls Shopping Bag that belonged to TILLER, with assigned FBI Number 882292CH1. After receiving the results, your affiant conducted another review of the video surveillance from the attempted credit union robbery, which confirmed that the second credit union robber who entered the credit union vestibule area, wearing a black or dark colored hooded sweatshirt with the hood up, black sweatpants, dark sunglasses, and a white or grayish colored bandana across his mouth, had the Marshalls Shopping Bag in his left hand or in his left front pants pocket.

10. On July 23, 2019, in the United States District Court, for the Southern District of Iowa, Council Bluffs, Iowa, the Federal Grand Jury (FGJ) returned a True Bill Indictment and arrest warrant for TEVONTA REAIR TILLER, a black male, born in 1996, charging TILLER with one (1) count of Attempted Bank Robbery, in violation of Title 18, United States Code, Section 2113(a). On July 23, 2019, your affiant had the FBI Omaha Radio Room enter the active warrant for TILLER in the National Crime Information Center (NCIC) Database.

11. In May 2019, Papillion Police Department Detective Matthew Elsasser, previously assigned to the FBI Omaha Great Plains Violent Crime Task Force, informed your affiant that TILLER was possibly residing at the Lux 96 Apartments located in Papillion, Nebraska. Detective Elsasser reported that he talked to the Property Management at the Lux 96 Apartment Complex, who reported there were numerous complaints that came from Apartment Number 2307 from other residents because of the smell of marijuana coming from the apartment.

12. On 07/24/2019, your affiant met with property leasing manager at the Lux 96

Apartments, who I will identify as “SE.” SE reported that TEVONTA REAIR TILLER is currently listed as the lease holder for Apartment 2307 located at 1221 West 6th Street, Papillion, Nebraska 68046. SE reported that TILLER listed TYRONE DEVERS as TILLER’S employer, where it was reported that DEVERS owned 2\$2 Construction Company, and DEVERS home address as 4202 Pratt Street, Omaha, Nebraska. SE reported that the rent for the apartments has been paid by way of money order which has no identifying information on the order, and the money orders are dropped in the overnight box located at SE’S office located at the apartment clubhouse.

13. SE reported that SE and the management team found out that a black male identified as DEMITRIUS EDWARD ALSTON, born in 1989, was living in Apartment 2307. SE reported that ALSTON, while spending time at the apartment pool, had dropped his State of Nebraska Identification on the ground. SE reported that while checking the property management records, SE learned that ALSTON has once toured another property owned by SE’S management team, specifically 1402 North 104th Plaza, Omaha, Nebraska. SE reported that SE recognized ALSTON when SE saw ALSTON around the apartment complex, as SE described ALSTON had long dreads and wore glasses. SE reported that SE’S management team has received numerous complaints about the smell of marijuana coming from apartment 2307.

14. On July 26, 2019, your affiant interviewed a renter located in the immediate vicinity of 1221 West 6th Street, Apartment Number 2307, who I will refer to as “CP.” CP was provided photographs of TILLER, ALSTON, and DEVERS which contained no identifying information. CP reported the photograph of ALSTON was her neighbor, and that CP had seen ALSTON driving a Maroon Mustang with a black stripe on it in the apartment complex parking

lot. CP reported that after reviewing the photographs of TILLER and DEVERS, CP may have seen both individuals in the apartment hallway while she looked at the peephole of her apartment.

15. On July 26, 2019, your affiant was contacted by FBI Special Agent Rachelle Glenn, assigned to the FBI Charlotte Division, Fayetteville, North Carolina Resident Agency (RA). SA Glenn reported that at approximately 10:14 am, two masked and armed black males entered the Wells Fargo located at 4924 Morganton Road, Fayetteville, NC. The males entered the bank, vaulted the counter, and stole approximately \$95,000 in federally insured funds. SA Glenn reported that the males fled in a Chevy Lumina which was located abandoned approximately half a mile from the Wells Fargo behind a shopping plaza. The first male was wearing a gray hooded sweatshirt with the hood up with a white logo on the left chest, dark sunglasses, gray sweatpants, gray type cloth gloves and a white surgical mask. The second male was wearing a gray hooded sweatshirt with the hood up, dark sunglasses, dark colored or black sweatpants, gray type cloth gloves and a white surgical mask. Both males were armed with black semi-automatic handguns.

16. SA Glenn reported that on July 26, 2019, at approximately 12:30 pm, a black male identified as DEMITRIUS EDWARD ALSTON, born in 1989, with a listed residence of 4202 Pratt Street, Omaha, Nebraska 68111, attempted to fly out of the Fayetteville Regional Airport located at 400 Airport Road, Fayetteville, North Carolina. During a search of ALSTON'S bag while in the TSA security section, a large amount of United States currency was discovered secreted in multiple locations. ALSTON then fled the airport after grabbing his belongings which were later found abandoned on airport property. As ALSTON fled, he dropped

United States currency and his belongings. Approximately \$38,110.25 was recovered from the airport grounds, to include US currency inside of ALSTON bag. In addition to the currency, a cellular phone and multiple belongings to include his Nebraska driver's license #H1368919 were recovered. During scene processing, the Fayetteville Police Department (FPD) detectives noted that the majority of the bills located inside of ALSTON's bag, which contained approximately \$23,000 of the approximately \$38,110.25 recovered, were in sequential order. ALSTON has not been located since leaving the Fayetteville Regional Airport. SA Glenn reported that the Fayetteville Police Department has issued a nationwide extraditable warrant for DEMITRIUS EDWARD ALSTON, a black male, born in 1989, for his involvement with the Wells Fargo Bank robbery that occurred on July 26, 2019 at 4924 Morganton Road, Fayetteville, North Carolina. Currently, ALSTON'S whereabouts are unknown.

17. On May 28, 2016, at approximately 9:44 a.m., two Black male subjects, entered the Wells Fargo Bank, 3536 Comstock Avenue, Bellevue, Nebraska, and robbed the bank. One of the Black males displayed a handgun, while the other jumped over the teller counter to obtain the United States currency. Witnesses state that a Black Mazda Pickup truck was used for the robbery, and was then left at a nearby apartment complex as the Black males then got into a silver compact vehicle and fled the area. During the robbery, a garbage bag was left in the bank by one of the robbers. The garbage bag along with other evidentiary items were sent to the FBI Laboratory for latent print analysis. The FBI Laboratory reported that the garbage bag had twenty (20) identifiable latent prints on it that belonged to DEMITRIUS EDWARD ALSTON with FBI assigned number 233495NC8. ALSTON was subsequently convicted and sentenced for Attempted Robbery through Sarpy County, Nebraska, where he received a state prison sentence

of not less than twelve months nor more than thirteen months, in where ALSTON had to serve a minimum of six (6) months in the Nebraska Department of Corrections.

18. On August 7, 2019, your affiant was contacted by SE, who reported that SE just received a telephone call from TEVONTA TILLER in where TILLER stated that he was coming to the Lux 96 Apartments office because he needed a new key for his apartment. At approximately 6:00 p.m. your affiant with Omaha Police Department (OPD) Task Force Officer (TFO) Jon Martin arrested TILLER while attempting to enter the Lux 96 Apartment Clubhouse. The Papillion Police Department Uniform Patrol Officers arrived and assisted as cover officers during the arrest. After the arrest, TFO Martin collected TILLER'S cellular telephone which was laying on the concrete sidewalk, and then searched TILLER for weapons and contraband, with negative findings. TILLER then was placed in the back of a Papillion Police Department patrol vehicle and was subsequently transported to the Papillion Police Department for processing. TFO Martin took possession of the cellular telephone, TILLER'S driver's license, Tiller's credit card, TILLER'S insurance card, a set of car keys and house keys, and forty-eight (48) dollars in United States currency which was in a pocket attached to the cellular phone case.

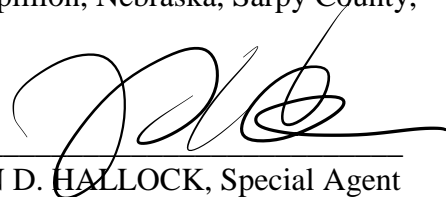
19. At approximately 6:31 p.m., your Affiant, in the presence of TFO Martin, read TILLER an Advice of Rights Form. TILLER was then asked to read over the form. After reading over the form, TILLER stated that he did not want to talk with law enforcement, invoking his Miranda rights. The interview was immediately terminated. TILLER was asked if he would give consent to search his vehicle that he drove to the apartment complex, specifically a 2016 Black Chevrolet Sonic with Nebraska License WGE549, registered to TILLER and his mother, DEANNA MCKNIGHT-TILLER. TILLER stated that he would give consent, and signed an FD-

26 Consent to Search Form which was witnessed by your Affiant. The search of the vehicle was subsequently conducted by TFO Martin with negative findings.

20. TILLER was then transported in TFO Martin's bureau issued vehicle to the Pottawattamie County Jail, 1400 Big Lake Road, Council Bluffs, Iowa, where he was lodged for the federal warrant. TFO Martin provided the Pottawattamie County Jail personnel with TILLER'S items to include his license, credit card and insurance card, and the forty-eight dollars in United States currency. TILLER'S cellular telephone was subsequently seized and booked into FBI property for purposes of obtaining a search warrant for the cellular telephone. TILLER'S vehicle keys and house keys were subsequently returned to his mother's residence in Omaha, Nebraska.

CONCLUSION

21. Based on the foregoing facts and my training, education, and experience, there is probable cause that evidence, contraband, fruits, and instrumentalities of violations of Title 18, United States Code, Section 2113(b) and Title 18, United States Code, Section 2113(a) and (d) will be found in 1221 West 6th Street, Apartment 2307, Papillion, Nebraska, Sarpy County, Nebraska 68046.



JOHN D. HALLOCK, Special Agent
Federal Bureau of Investigation

Subscribed and sworn
before me this 9 day of August, 2019.


MICHAEL D. NELSON
United States Magistrate Judge

ATTACHMENT A

ITEM TO BE SEARCHED

- a. A one-bedroom apartment, specifically Apartment Number 2307, located at the Lux 96 Apartments, 1221 West 6th Street Papillion, Nebraska, Sarpy County, Nebraska 68046. The building known as 1221 West 6th Street is described as a three-story apartment building with the exterior entrance door marked in white numbers and lettering which reads “1221 West 6th Street.” The building has a red brick exterior, tan siding, two-car attached garages with white garage doors located on the ground floor of the building, and a composition roof. Apartment 2307 is located on the third floor of the building and has a white entrance door with the number “2307” in gold colored numbers displayed on the right hand side of the door.

ATTACHMENT B

ITEMS TO BE SEIZED

The items to be seized from 1221 West 6th Street, Apartment 2307, Papillion, Nebraska, Sarpy County, Nebraska 68046, are as follows:

- a. Khaki colored pants;
- b. White jacket with camouflage print;
- c. White facial coverings to include white bandanas;
- d. Black or dark colored sweatpants;
- e. Gloves, to include gray cloth type gloves and black leather gloves;
- f. Black or dark colored hooded sweatshirts;
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- i. Dark lensed sunglasses;
- j. White surgical masks.
- k. United States currency not to exceed \$57,000.00

UNITED STATES DISTRICT COURT

for the
District of Nebraska

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address))

Case No. 8:19MJ371

The residence and premises at Lux 96 Apartments, 1221)
West 6th Street, Apartment 2307, Papillion, Nebraska)
68046. See Attachment A)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____ Nebraska
(identify the person or describe the property to be searched and give its location):

The residence and premises at Lux 96 Apartments, 1221 West 6th Street, Apartment 2307, Papillion, Nebraska 68046.

See Attachment A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B

YOU ARE COMMANDED to execute this warrant on or before August 23, 2019 (not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to MICHAEL D. NELSON
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for _____ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of _____.

Date and time issued:

8/9/2019 3:35 p.m.


Judge's signature

City and state:

Omaha, Nebraska

MICHAEL D. NELSON, U.S. Magistrate Judge

Printed name and title

ReturnCase No.:
8:19MJ371

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title

ATTACHMENT A

ITEM TO BE SEARCHED

- a. A one-bedroom apartment, specifically Apartment Number 2307, located at the Lux 96 Apartments, 1221 West 6th Street Papillion, Nebraska, Sarpy County, Nebraska 68046. The building known as 1221 West 6th Street is described as a three-story apartment building with the exterior entrance door marked in white numbers and lettering which reads “1221 West 6th Street.” The building has a red brick exterior, tan siding, two-car attached garages with white garage doors located on the ground floor of the building, and a composition roof. Apartment 2307 is located on the third floor of the building and has a white entrance door with the number “2307” in gold colored numbers displayed on the right hand side of the door.

ATTACHMENT B

ITEMS TO BE SEIZED

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- g. Gray or white colored hooded sweatshirts containing a white logo on the left chest area;
- h. Weapons to include handguns;
- i. Dark lensed sunglasses;
- j. White surgical masks.
- k. United States currency not to exceed \$57,000.00